

**IDAHO BOARD OF BARBER EXAMINERS**  
**Bureau of Occupational Licenses**  
700 West State Street, P.O. Box 83720  
Boise, ID 83720-0063

**Board Meeting Minutes of 7/8/2013**

**BOARD MEMBERS PRESENT:** Kevin J. Moriarty - Chair  
Kerry R Nave  
Gussie O'Connor

**BUREAU STAFF:** Tana Cory, Bureau Chief  
Lori Peel, Investigative Unit Manager  
Maurie Ellsworth, Legal Counsel  
Roger Hales, Legal Counsel  
Eric Nelson, Prosecuting Attorney  
Kim Aksamit, Technical Records Specialist I

**OTHERS PRESENT:** Erine Wolcott, Debra Garcia, Brad Perkins,  
Nick Ballou and Jamal Aljumdili

The meeting was called to order at 8:33 AM MST by Kevin J Moriarty.

**APPROVAL OF MINUTES**

A motion was made by Ms. O'Connor to accept the minutes from March 11, 2013. It was seconded by Mr. Nave. Motion carried.

**LEGISLATIVE REPORT**

Ms. Cory had nothing to report at this time.

**FINANCIAL REPORT**

Ms. Cory gave the financial report. This report is available on the website. As of 06/30/2013, the Board has \$34,885.17 in expenditures with a cash balance of \$37,288.17.

**MEMORANDUM**

Mr. Nelson, Board Prosecutor, presented to the Board a Memorandum.

BAR-2013-4

After review, the Board presented its recommendations to its prosecuting attorney.

BAR-2013-3

After review, the Board presented its recommendations to its prosecuting attorney.

### **INVESTIGATIVE REPORT**

Ms. Peel presented the investigative report, which is linked above.

### **COMPLAINT**

#### **EXECUTIVE SESSION**

A motion was made by Mr. Nave to go into executive session per Idaho Code 67-2345 (1) (f), to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider a complaint. It was seconded by Ms. O'Connor. Motion carried. Individual vote was: Mr. Nave, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

A motion was made by Mr. Nave to come out of executive session. It was seconded by Ms. O'Connor. Motion carried. Individual vote was: Mr. Nave, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

A motion was made by Ms. O'Connor to direct the Bureau to respond to the complaint. It was seconded by Mr. Nave. Motion carried.

#### **EXECUTIVE SESSION**

A motion was made by Mr. Nave to go into executive session per Idaho Code 67-2345 (1) (f). The purpose of the Executive Session was to discuss BAR-2012-12 and BAR-2012-13. It was seconded by Ms. O'Connor. Motion carried. Individual vote was: Mr. Nave, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

A motion was made by Mr. Nave to come out of executive session. It was seconded by Ms. O'Connor. Motion carried. Individual vote was: Mr. Nave, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

Mr. Ellsworth addressed the Board regarding the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order for cases BAR-2012-12 and BAR-2012-13. The Board has read the entire transcript. It was moved by Ms. O'Connor to accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order for cases BAR-2012-12 and BAR-2012-13 and asses a

\$1500.00 fine, plus fees and costs, and require a two year probation period. It was seconded by Mr. Nave. Motion carried.

## **NEW BUSINESS**

## **CORRESPONDENCE**

### **NATIONAL ASSOCIATION OF BARBER BOARDS OF AMERICA ANNUAL CONFERENCE**

A motion was made by Ms. O'Connor to have two Board members attend the National Association of Barber Boards of America 87th Annual Conference (NABBA) in Oklahoma City, Oklahoma and to cover all expenses including, hotel, meals, shuttle, car rental, per diem, honorarium, and one day of travel. It was seconded by Mr. Nave. Motion carried.

## **CORRESPONDENCE**

The Board reviewed a letter from Ms. Garcia, Boise Barber College, regarding the examination procedure to ask if the Board would allow students who have already taken the barber portion of the exam to not have to take it when examining for the barber stylist examination if they hold a current barber license.

Ms. Garcia also asked if someone holding a current instructor license doesn't want to instruct can obtain the barber or barber stylist license to work instead of having to hold the instructor's license and what the process would be to change license types.

A motion was made by Ms. O'Connor to direct Mr. Hales to contact DL Roope Administration regarding the exam content and to write a proposed rule to allow relinquishing of an instructor's license for a barber or barber stylist license. It was seconded by Mr. Nave. Motion carried.

## **EXECUTIVE SESSION**

A motion was made by Ms. O'Connor to go into executive session per Idaho Code 67-2345 (1) (d), to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Nave. Motion carried. Individual vote was: Mr. Nave, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

A motion was made by Ms. O'Connor to come out of executive session. It was seconded by Mr. Nave. Motion carried. Individual vote was: Mr. Nave, aye; Ms. O'Connor, aye; and Mr. Moriarty, aye.

## **APPLICATIONS**

A motion was made by Ms. O'Connor to have applicants 901125127 and 901126395 submit additional information. It was seconded by Mr. Nave. Motion carried.

A motion was made by Mr. Nave to approve the application for Jamal Aljumdili and issue him a license. It was seconded by Mr. Moriarty. Motion carried. Ms. O'Connor abstained.

### **NEXT MEETING**

The Board scheduled its next meeting for November 4, 2013 at 8:30 AM MDT at the Bureau of Occupational Licenses.

### **ADJOURN**

A motion was made by Mr. Nave to adjourn the meeting at 11:00 AM MST. It was seconded by Ms. O'Connor. Motion carried.

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Kevin J. Moriarty, Chair

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Kerry R Nave

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Gussie O'Connor

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Tana Cory, Bureau Chief